APPRENTICESHIP AND INDUSTRY TRAINING REVIEW

Comments of the Advisory Panel on the Review Committee Final Report

Submitted For Consideration
To
The Honourable Rick Orman
Minister of Career Development and Employment

March 1988

EXECUTIVE SUMMARY

1. On March 12, 1988, the Apprenticeship and Industry Training Review Advisory Panel met to provide comments to the Minister of Career Development and Employment on the Final Report of the Apprenticeship and Industry Training Review Committee, submitted to the Minister on February 22, 1988.

2. The Advisory Panel unanimously supported 19 of the 25 Review Committee recommendations. These generally dealt with the following:

   a) general support for the current system of apprenticeship training and recognition of the quality of journeymen trained within that system;

   b) expansion of the apprenticeship model into new occupations and industries;

   c) greater co-ordination between provinces, provincial government departments, and training institutions to provide for more efficient and effective utilization of resources;

   d) active promotion of apprenticeship training to all stakeholders;

   e) encouragement of greater accessibility for those individuals who face barriers in competing for apprenticeships;

   f) development of alternative approaches to the delivery of technical training to allow for the new demands of the workplace; and

   g) general support for journeyman updating to encourage trades-people to keep pace with changing technology.

3. The Panel also supported the intent of two further recommendations concerning the role of the Apprenticeship and Trade Certification Board, and inter-provincial co-ordination in the delivery of

apprenticeship training, but made minor amendments to strengthen the wording of those recommendations.

4. The Advisory Panel disagreed with the recommendation of the Review Committee in the following four areas:

a) Compulsory Participation in Apprenticeship Training

Review Committee Position: That apprenticeship in all trades would be voluntary except those specified, with provision for a trade to request compulsory apprenticeship.

Advisory Committee Position: That apprenticeship in all existing trades would be compulsory with provision for a trade to request voluntary apprenticeship.

b) Certification

Review Committee Position: That only 10 of the current 16 proficiency trades retain the requirement that a certificate would be necessary to work in the trade.

Advisory Panel Position: That all trades currently designated as proficiency trades would retain that status as a "Regulated" Trade.

c) Cross-Crafting

Advisory Panel Position: That the recommendations of the Review Committee did not address the issue of "Cross-crafting" as defined by the Review Committee, but only the more limited problems associated with "trade overlap".

d) Composition of the Board

Review Committee Position: That public members should be appointed to the Board and given full voting rights.

Advisory Panel Position: That the public should be represented by an M.L.A., as a non-voting member of the Board.

5. Other less critical areas of disagreement are also discussed in the report and alternative recommendations are provided complete with a recorded vote by the members of the Advisory Panel.

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APPRENTICESHIP AND INDUSTRY TRAINING REVIEW

COMMENTS OF THE ADVISORY PANEL

ON THE REVIEW COMMITTEE FINAL REPORT

1.0 INTRODUCTION

On February 22, 1988, the Apprenticeship and Industry Training Review Committee submitted to the Minister of Career Development and Employment a copy of the Committee's Final Report on the public meetings conducted in the fall of 1987. The Minister, Mr. Rick Orman, then requested the Advisory Panel to review the Final Report of the Review Committee and provide its comments to him by March 31, 1988.

The Review Committee Report presented 25 recommendations dealing with issues related to current apprenticeship practices, and the future of apprenticeship training in Alberta. The Advisory Panel met to review these recommendations on March 12, 1988. In attendance at that meeting were:

Chairman: Dr. Stan Cassin, MLA

Representing Employers:	Gordon J. W. Campbell
	Ephraim Haas
	Jakob T. (Jake) Thygesen
Representing Employees:	John Briegel
	Michael F. Folk
	Terry Green
	John Rodden
Representing Training Institutions:	Florin Bergh

Absent from the meeting were:

Representing Employees:	James E. Ross
Representing the Public:	Norma Meroniuk
	Sandra Scott

Full consideration was given to each of the recommendations and a recorded vote on the original recommendation was taken. Amendments were proposed and formal votes were recorded on each amendment.

In general, the Advisory Panel was unanimous in its support of 19 of the 25 Review Committee recommendations. These recommendations dealt with the following:

a) general support for the current system of apprenticeship training and a recognition of the quality of journeymen trained within that system;

b) expansion of the apprenticeship model into new occupations and industries;

c) greater co-ordination between provinces, provincial government departments, and training institutions to provide for more efficient and effective utilization of resources;

d) active promotion of apprenticeship training to all stakeholders;

e) encouragement of greater accessibility for those individuals who face barriers in competing for apprenticeships;

f) development of alternative approaches to the delivery of technical training to allow for the new demands of the workplace; and

g) general support for journeyman updating to encourage trades-people to keep pace with changing technology.

The Advisory Panel also supported the intent of two additional recommendations concerning the role of the Apprenticeship and Trade Certification Board and inter-provincial co-ordination in the delivery of apprenticeship training, but made minor amendements to strengthen the wording of the recommendations.

The Advisory Panel, however, did have difficulty with four of the Review Committee recommendations, which dealt with some of the fundamental issues of apprenticeship and trade certification in Alberta. The areas of concern identifed by the Panel were the following:

a) Compulsory Participation in Apprenticeship Training (Recommendation 4);

b) Certification (Recommendation 3);

c) Cross-Crafting (Recommendation 5); and

d) Composition of the Board (Recommendation 8).

The following report deals primarily with these issues, the problems which the Advisory Panel observed in the Review Committee recommendations, and proposed alternatives which, in the opinion of the Advisory Panel, would secure greater support among industry representatives, both employers and employees.

In submitting this Report, the Advisory Panel has provided comment, as requested, on the recommendations put forward in the Final Report of the Review Committee. In so doing, the Advisory Panel has not abandoned the positions it adopted in its previous report to the Minister in January, 1988. It is the view of the Advisory Panel that the recommendations contained in that report reflect a more comprehensive approach to the issues raised throughout the review process, and provide greater clarity and direction in the resolution of those issues.

2.0 MAJOR ISSUES

In the following section, only those recommendations which were amended by the Advisory Panel are discussed. In each case, the original Review Committee recommendation is presented, followed by the Advisory Panel vote on acceptance of that recommendation as written. A brief discussion on the problematic areas of the recommendation is offered followed by the Advisory Panel vote on the amendment with a brief explanation of the minority position if necessary. Both the Review Committee recommendation and the Advisory Panel amendments are presented in italic print.

2.1 COMPULSORY APPRENTICESHIP

Review Committee Recommendation 4: In the matter of compulsory participation, the Review Committee recommends:

a) that the current designations of "Proficiency Trades" and "Qualification Trades" be discontinued and replaced by "Compulsory" and "Voluntary" Apprenticeship Trades;

b) that in the interest of Public Safety, the Minister should designate the following trades as "Compulsory Trades":

i) Electrician,
ii) Plumber,
iii) Steamfitter - Pipefitter,
iv) Gasfitter,
v) Motor Mechanic,
vi) Heavy Duty Mechanic,
vii) Elevator Constructor,
viii) Recreation Vehicle Mechanic,
ix) Motorcycle Mechanic, and
x) Auto Body Mechanic;

c) that apprenticeship in all trades not designated "Compulsory Trades" will be voluntary, except those which upon application to the Apprenticeship and Trade Certification Board by the majority of industry representing employers and employees equally, and with the approval of the Minister are designated to be compulsory trades;

d) that in view of the fact that certain occupations perform certain functions covered under the trade description of a "Compulsory Trade", the Minister may exclude these occupations from the compulsory provisions of the Act, if it can be demonstrated that the public is adequately protected by either another Act or regulatory agency; or if such work is performed under the direct or general supervision of a qualified journeyman.

Recommendation Rejected: **In favour (3):** **Green**
Haas
Thygesen

Opposed (5): **Bergh**
Briegel
Campbell
Folk
Rodden

Review Committee Recommendation 4 presented a number of difficulties to the Advisory Panel. The primary concern was the major shift from compulsory participation in all trades to voluntary participation in all trades except those specified or those which petitioned the Minister for designation as a compulsory apprenticeship trade. No criteria were specified for the selection of trades which would retain compulsory apprenticeship and the Panel had serious reservations about trades which would no longer have such status. While recognizing the need for some provision for voluntary apprenticeship in the system, such a dramatic shift would probably not receive broad industry support and would cause difficulties for secondary institutions. Finally, part (d) of the Recommendation, allows for a general endorsement of a number of work practices, which may not in every situation be in the interest of public safety.

The Advisory Panel did not accept the principle of linking compulsory apprenticeship to only those trades in which certification was compulsory for purposes of public safety. In response, the Advisory Panel recommended that compulsory participation be retained in all trades, however, that provision be made for trades to request voluntary apprenticeship where it can be proven that it is in the best interests of the trade to do so. Further, the Panel also recommended that the discretionary power of exemption provided to the Executive Director under Section 23(c) of the current Manpower Development Act be retained to allow for person working in special circumstances.

The revised recommendation would be:

Advisory Panel Recommendation 4: In the matter of compulsory participation, the Advisory Panel recommends:

a) *that participation in apprenticeship in all existing trades be compulsory. A change to voluntary participation would be possible by application to the Apprenticeship and Trade Certification Board by the majority of industry representing firms employing journeymen and apprentices in the relevant trade; and journeymen and apprentices registered by the Minister with the Department, for designation by the Minister as a voluntary apprenticeship trade; and*

Amendment Accepted:

In favour (5): Bergh
Campbell
Green
Haas

Opposed (3): Briegel
Folk
Rodden

(Those opposed consider any departure from comprehensive compulsory apprenticeships in any trades to be against the interests of potential apprentices.)

b) *that special authorization may be issued by the Executive Director of Apprenticeship and Trade Certification to allow specific individuals who are neither journeymen or apprentices to work in a designated trade.*

Amendment Accepted:

In favour (8): All
Opposed (0): None

2.2 CERTIFICATION

Review Committee Recommendation 3: That the structure of the Act be changed to offer the following legal protections:

a) *to all trades, exclusive right to the use of the trade title commonly used in Alberta, and*

b) *to compulsory trades, both the right to title and exclusive right to perform the functions of that trade in Alberta, based upon the need for safety and public protection.*

The Advisory Panel had no opposition to the original recommendation of the Review Committee. However, because of the amendments to Recommendation 4, concerning compulsory participation, the Advisory Panel subsequently revised Recommendation 3 for consistency.

The Panel recognized the confusion which is generated by the use of the terms "Proficiency" and "Qualification" Trades. The terms "Regulated" and "Non-regulated" were recommended as providing a clearer indication of the need to regulate the trades in areas where protection of the public was a concern. Consistent with their recommendations in the area of compulsory participation, the Panel also recommended that there be no change in status for any existing trade.

The revised Recommendation would be:

Advisory Panel Recommendation 3: In the matter of certification, the Advisory Panel recommends:

a) *that the current designations of "Proficiency Trades" and "Qualification Trades" be discontinued, and replaced by, "Regulated" and "Non-regulated" Trades, and that all trades currently designated as Proficiency trades retain that status as Regulated trades; and*

b) *that the structure of the Act be changed to offer the following legal protections:*

i) *to all trades, exclusive right to the use of the trade title commonly used in Alberta, and*

ii) *to regulated trades, both the right to title and exclusive right to perform the functions of that trade in Alberta, based upon the need for safety and public protection.*

Amendment Accepted: **In favour (8): All**
Opposed (0): None

2.3 CROSS-CRAFTING

Review Committee Recommendation 5: That in the matter of cross-crafting, the Review Committee recommends:

a) new legislation should include provisions which recognize the unique skill demands of the various industrial sectors, most significantly, Construction, Manufacturing and Processing, Service and the Public Sector;

b) better articulation between related trades by:

i) grouping trades working in similar fields,

ii) combining delivery of common theoretical elements,

iii) allowing certified journeymen to take individual modules in related trades, and

iv) reducing the requirement to engage in a second full apprenticeship to acquire a second trade in a related field; and

c) the Minister be provided the authority to exempt firms or industries from the application of certain provisions of the Act on recommendation of the Board; and

d) the current provisions offered by Section 46(e) of the Manpower Development Act be amended to include not only "factory, and mass production", but also the "processing industries".

Recommendation Rejected: **In favour (0): None**

Opposed (8): All

The Advisory Panel accepted the definition of "cross-crafting" used by the Review Committee as stated in Section 3.3.3 of the Review Committee Final Report:

> "The Review Committee considered cross-crafting to occur when a journeyman or an apprentice engages in tasks which are outside of the scope of the trade area for which that person is qualified or trained, but are within the scope of another trade for which that person is not qualified."

The Panel opposed the practice of cross-crafting as defined and would support appropriate actions which would address the problem directly. However, in the opinion of the Panel members, the Review Committee recommendation does not address this practice, but rather deals only with the issue of trade overlap, or when certain functions come within the domain of both the trade in which the journeyman is certified and another trade in which that person may be working.

The actions suggested by the Review Committee recommendations are therefore useful in improving the linkage between existing trades, but do nothing to resolve the broader and more problematic issue of cross-crafting as defined by the Review Committee.

Given the limited application of the recommendation, the Advisory Panel accepted each part of the recommendation as follows:

a) *new legislation should include provisions which recognize the unique skill demands of the various industrial sectors, most significantly, Construction, Manufacturing and Processing, Service and the Public Sector;*

b) *better articulation between related trades by:*

   i) *grouping trades working in similar fields,*

   ii) *combining delivery of common theoretical elements,*

iii) allowing certified journeymen to take individual modules in related trades, and

iv) reducing the requiriement to engage in a second full apprenticeship to acquire a second trade in a related field; and

Recommendation Accepted: **In favour (5):** **Bergh**
Campbell
Green
Haas
Thygesen

Opposed (3): **Briegel**
Folk
Redden

c) the Minister be provided the authority to exempt firms or industries from the application of certain provisions of the Act on recommendation of the Board; and

Recommendation Accepted: **In favor (6):** **Bergh**
Campbell
Folk
Green
Haas
Thygesen

Opposed (2): **Briegel**
Rodden

Part (d) was amended to provide a role for the Board in the identification of firms which would qualify for exemption.

d) the current provisions offered by Section 46(e) of the Manpower Development Act be amended to include not only "factory, and mass production", but also the "processing industries", <u>as designated by the Board upon application</u>.

Amendment Accepted: **In favor (6):** **Bergh**
Campbell
Folk
Green
Haas
Thygesen

Opposed (2): **Briegel**
Rodden

(Those opposed in each case were of the opinion that any initiative which encouraged a greater degree of cross-crafting would be damaging to the integrity of the individual trades and the beginning trend which would lead to the destruction of the existing apprenticeship and trade certification system.)

2.4 ROLES OF THE BOARD

Review Committee Recommendation 6: That in order to establish the Board as the central mechanism for the management of apprenticeship training and certification:

a) the Board be provided greater latitude and responsibility in the exercise of powers under the Act; and

b) the Board be accountable to the Legislative Assembly through the Minister of Career Development and Employment, and submit to the Assembly an annual report of its activities throughout the year.

While endorsing the general intent of the recommendation, the Advisory Panel felt that the "management" of apprenticeship training and certification was the responibility of the Executive Director. The Board was a policy setting body, a function which must remain distinct from the administration of the system.

The revised recommendation would be:

Advisory Panel Recommendation 6: That in order to establish the Board as the central mechanism for <u>policy setting in</u> apprenticeship training and certification:

a) *the Board be provided greater latitude and responsibility in the exercise of powers under the Act; and*

b) *the Board be accountable to the Legislative Assembly through the Minister of Career Development and Employment, and submit to the Assembly an annual report of its activities throughout the year.*

Amendment Accepted: **In favor (8): All**
Opposed (0): None

2.5 COMPOSITION OF THE BOARD

Review Committee Recommendation 8: In view of the fact that the policies and decisions made by the Board may have a significant impact on the general public, the Review Committee recommends that:

a) *a minimum of two members of the Board shall represent the general public;*
b) *one of the two members representing the general public shall be an MLA; and*
c) *the Public members shall have full voting rights, be entitled to the same privileges, and have the same responsibilities as the members representing employers or employees.*

During its previous deliberations, the Advisory Panel had developed a number of specific recommendations which dealt in some detail with the composition of the Board and selection of Board members. In that the Review Committee recommendation dealt only with the issue of public representation on the Board, the Panel felt that their previous recommendations provided a more comprehensive treatment of all the pertinent issues, and that those recommendations should stand.

The primary difference between the position of the Review Committee and that of the Advisory Panel was on the appointment of public members. The Panel opposed the appointment of public members for the following reasons:

a) Because of the very broad structure of the apprenticeship system, 52 trades working in virtually all industrial sectors, the Board already represents a large protion of the general public through employer and employee representatives.

b) As the basis of the apprenticeship system is the contract of apprenticeship constituted between an employer and an employee and mediated by the government, a forth party has no place in setting the terms of that contract.

c) The interests of the public-at-large can be better represented by an MLA who has both the knowledge and mandate to address public issues effectively.

The revised recommendation would be:

Advisory Panel Recommendation 8: In the matter of the composition of the Apprenticeship and Trade Certification Board, the Advisory Panel recommends:

a) that the Board would consist of 15 members, including the following:

i) five employer representatives plus one alternate member,

ii) five employee representatives plus one alternate member,

iii) one MLA,

iv) the Executive Director of Apprenticeship, and

v) a Chairman;

b) that these appointments be for a fixed term of three years with replacement of board members appointed in a staggered manner to allow for continuity;

c) that the Executive Director of Apprenticeship be a non-voting member of the Board; as should an MLA, appointed to oversee the interests of the government and the public;

d) that a Chairman shall be appointed from within the sitting members of the Board, by the members of the Board, to oversee the business of the Board, and to serve a normal term of office; and

e) *that board members, other than the Executive Director be limited to two consecutive terms in office.*

Amendment Accepted: **In favour (8): All**

Opposed (0): None

2.6 INTER-PROVINCIAL CO-ORDINATION

Review Committee Recommendation 10: That the western provinces and territories be encouraged to co-ordinate the delivery of apprenticeship programs with small registrations on an inter-provincial/territorial basis.

The Advisory Panel fully supported the recommendation, but questioned why such measures should be limited to the western provinces and territories alone. With the degree of inter-provincial mobility currently existing in Canada, and the measures to increase the recognition of apprenticeship programs and journeymen certification, the Advisory Panel saw potential benefits in co-ordinating the delivery of apprenticeship programs accross Canada.

The revised recommendation would be:

Advisory Panel Recommendation 10: That all provinces and territories be encouraged to co-ordinate the delivery of apprenticeship programs with small registrations on an inter-provincial/territorial basis.

Amendment Accepted: **In favour (8): All**

Opposed (0): None